

REMARKS

Claims 1-7 and 9-16 are currently in the application.

Reconsideration of the application as amended is respectfully requested for the following reasons.

Claims 1-4, 6, 7, and 9-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by US patent No. 5,210,971 to Efantis.

Efantis discloses a fishing rod holder apparatus. The fishing rod holder apparatus includes a hollow cylinder 12 adapted to receive a fishing rod shaft therein as shown in figure 11. The reel of the fishing rod taught by Efantis is directly mounted to the fishing rod shaft. This teaches away from the present invention wherein the hollow cylinder is adapted to receive at least a portion of an auxiliary reel seat having a reel mounted thereto, the hollow cylinder being releasably engaged with a primary reel seat of the fishing rod shaft.

The fishing rod holder apparatus described in Efantis also includes a rod shaft 82. However the rod shaft 82 is not a fishing rod shaft having a primary reel seat and at least one guiding eyelet for guiding a fishing line along the fishing rod shaft. This is contrary to the present invention.

In view of the foregoing, claims 1 and 13 are novel over Efantis and the rejection under 35 U.S.C. § 102(b) should be withdrawn. Claims 2-4, 6, 7, 9-12, and 14-15 depend on either claim 1 or claim 13.

Claims 1, 2, 6, 7, and 9-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by US patent No. 5,184,797 to Hurner.

Hurner teaches a fishing rod holder having a hollow cylinder 12 with a longitudinal cavity adapted to receive a fishing rod shaft therein. As shown in Figure 1, the reel 7 is directly mounted to the fishing rod shaft. This is contrary to the present invention wherein the hollow cylinder is adapted to receive at least a portion of an auxiliary reel seat having a reel mounted thereto.

The fishing rod holder taught by Hurner has a rod shaft 44 adapted to mount the hollow cylinder to a foundation 30. The rod shaft 44 is not a fishing rod shaft with a primary reel seat and at least one guiding eyelet for guiding a fishing line along the fishing rod shaft. This teaches away from the present invention.

Amended claims 1 and 13 are patentable over Hurner and claims 2, 6, 7, 9-12, and 14-15 depend from an allowable independent claim and are also allowable.

Claims 1 and 9-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by US patent No. 5,115,598 to Shaw.

Shaw discloses a fishing rod stand having a hollow cylinder 5 to receive a fishing rod shaft therein. This teaches away from the present invention wherein the hollow cylinder is adapted to receive at least a portion of an auxiliary reel seat having a reel mounted thereto.

Shaw's fishing rod stand includes a rod shaft 3. However, the rod shaft 3 is not a fishing rod shaft having a primary reel seat and at least one guiding eyelet for guiding a fishing line along the fishing rod shaft. This teaches away from the present invention.

In view of the foregoing, claims 1 and 13 are novel over Shaw and the rejection under 35 U.S.C. § 102(b) should be withdrawn.

Claims 9-12 and 14-15 depend respectively on claims 1 and 13 and are also believed to be novel.

Claims 1, 2, 6, 7, and 9-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by US patent No. 4,827,654 to Roberts.

Roberts teaches a fishing rod holder having a hollow cylinder 12 with a cavity therein. The cavity is adapted to receive a fishing rod therein. The reel 64 is directly mounted to the fishing rod shaft. This is contrary to the present invention wherein the cavity of the hollow cylinder is adapted to receive therein at least a portion of an auxiliary reel seat therein having a reel mounted thereto.

The fishing rod holder taught by Roberts has a rod shaft 36 adapted to mount the hollow

cylinder 12 to a fixed structure. However, the rod shaft 36 cannot be associated with a fishing rod shaft having a primary reel seat and at least one guiding eyelet for guiding a fishing line along the fishing rod shaft. This is contrary to the present invention.

Amended claims 1 and 13 are patentable over Roberts. Claims 2, 6, 7, 9-12, and 14-15 depend from an allowable independent claim and are also novel.


Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over either US patent No. 5,184,797 to Hurner, US patent No. 5,115,598 to Shaw or US patent No. 4,827,654 to Roberts. Claim 3 depends on independent claim 1, which for the reasons mentioned above is patentable. Therefore, the rejections are overcome.

New claim 16 corresponds to the subject-matter of original claim 5, which has been indicated as allowable by the Examiner.

Applicants respectfully submit that the application is in condition for allowance. Reconsideration of the rejections and objections is respectfully requested. In the event that there are any questions concerning this amendment or the application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of this application may be expedited.

Respectfully submitted,

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